

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF WEST VIRGINIA

<u>Joseph Genet</u>	<u>3557771</u>
<u>Zachary Whitmore</u>	<u>3536621</u>
_____	_____

(Enter above the full name of the plaintiff
or plaintiffs in this action).

(Inmate Reg. # of each Plaintiff)

VERSUS

CIVIL ACTION NO. 3:18-cv-01483
(Number to be assigned by Court)

Western Regional Jail
Captin Aldrage, Corp. Eirwin
Sargent Franklin, Corp. Youck
CO. Guice, CO Napper, CO Indecot
(Enter above the full name of the defendant
or defendants in this action)

COMPLAINT

I. Previous Lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to your imprisonment?

Yes _____

No X _____

- B. If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline).

1. Parties to this previous lawsuit:

Plaintiffs: _____

NA

Defendants: _____

2. Court (if federal court, name the district; if state court, name the county);

3. Docket Number: _____

NA

4. Name of judge to whom case was assigned:

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit: _____

NA

7. Approximate date of disposition: _____

II. Place of Present Confinement: Western Regional jail

A. Is there a prisoner grievance procedure in this institution?

Yes X No _____

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes X No _____

C. If you answer is YES:

1. What steps did you take? I talked to Sergeant Franklin, Corporal York as well as all the CO's

2. What was the result? nothing was done to
rectify the situation at hand

D. If your answer is NO, explain why not: _____

III. Parties

(In item A below, place your name and inmate registration number in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.)

A. Name of Plaintiff: Joseph Genet

Address: 10 chantlin place Barboursville wv 25504

B. Additional Plaintiff(s) and Address(es): Zachary Whitmore

01 Chanlin Place Barboursville WV 25504

(In item C below, place the full name of the defendant in the first blank, his/her official position in the second blank, and his/her place of employment in the third blank. Use item D for the names, positions, and places of employment of any additional defendants.)

C. Defendant: Western Regional jail
is employed as: Regional jail
at Barboursville WV

D. Additional defendants: Captin Aldrage, Corporal
Eirwin, Corporal Youck, Sergeant Franklin
CO. Guice, CO Napper, CO Indocot
CO, Thewithen CO, Paul CO Hughs

IV. Statement of Claim

State here as briefly as possible the facts of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, set forth each claim in a separate paragraph. (Use as much space as you need. Attach extra sheets if necessary.)

We were placed on lock down on 11-8-18
We were taken to A5 section
Known as the whole. Its a special Management
Pod and has a CO posted at all times.
In this section there are 2 mentely Impaired
inmates (Kewen Esque, Kenny Hall). They
are disturbed individuals who dont really
have the capacity to take care of them selves

IV Statement of Claim (continued)

Our cells in this section have mold in them as well as the whole section is nasty with Iron stains all over the walls. We are never offered rock and when we ask for it we are told we have to wait, and it never happens. We don't get our clothes washed we have to do it ourselves in our sinks. We can't send our laundry out because it never comes back and we lose our personal property. We are never offered Gym. The food is uncooked and uneatable most of the time so we just don't eat. If we complain too much they get upset and say we refuse our food and we get nothing! We are all treated less than human but Kenny Hall and Kevin Esque have it the worst in this institution. My mental capacity has been altered by the things that go on in this section and the degradation we endure on a daily basis. As a man of West Virginia the standards should be quite high but sadly it is the worst thing a human, mentally ill or not, will ever have to endure. It's too soon to see what problems this will cause any one of us in the future.

Will we need medication due to PTSD
or what whos to say.

IV. Statement of Claim (continued):

Both individuals Urinate in the floor Constantley and Keven plays in his fecal matter by rubbing it on the floors and walls. We were inundated with the smell of Urin as well as the smell of fecal matter. We woke up to water, urin, fecal matter as well as trash in our cell from their cells. We had to sit in it for 6 hours or more before anything was done to clean it up.

V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

Would like the courts to Put a stop to the mistreatment of inmates at this state run facility. Would also be asking for financial compensation do to the mental Anguish we both have had to endure. Would like to see the court shut such facilities down if the behavior of state employees can not be properly monitored to ensure every inmate is given basic

V. Relief (continued)):

human Rights and Sec that each inmate
has access to outside help and Civil Libertys.

VII. Counsel

- A. If someone other than a lawyer is assisting you in preparing this case, state the person's name:

Ronnie Hammonds

- ☒ B. Have you made any effort to contact a private lawyer to determine if he or she would represent you in this civil action?

Yes _____ No _____

If so, state the name(s) and address(es) of each lawyer contacted:

If not, state your reasons: _____

- C. Have you previously had a lawyer representing you in a civil action in this court?

Yes _____ No X

If so, state the lawyer's name and address:

Signed this _____ day of _____, 20____.

X Zachary Whitmer
X Joseph B. Bates

Signature of Plaintiff or Plaintiffs

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____
(Date)

X Joseph B. Bates Zachary Whitmer
Signature of Movant/Plaintiff

Signature of Attorney
(if any)